

**AFFIDAVIT OF NON-PRODUCTION  
AND NON-PAYMENT OF BONUS AND RENTALS**

STATE OF West Virginia

COUNTY OF Marshall TO-WIT:

Shirley Robinson, the undersigned, who after being duly sworn deposes and say:

1. That the above named are the owner(s) of 1/54 of the oil, gas in or under said lands. Described as follow; 99.4 acres, more or less in Liberty District, Marshall County, West Virginia.
2. That the Affiant further states that affiant is advised that the Records in the Recorder's Office indicate that the above described premises were leased for oil and gas purposes as follows:
  1. Oil and Gas Lease from J.H. Mackey to Parker and Sandek, dated 9/21/1889 and recorded in Deed Book 33, Page 337. Term is 5 years and so much longer as oil and gas is produced in paying quantities.
  2. Oil and Gas Lease from John H. Mackey and F.M. Mackey to South Penn Oil Co., dated 12/31/1894 and recorded in Deed Book 49, Page 86. Term is 5 years and so much longer as oil and gas is produced in paying quantities.
  3. Oil and Gas Lease from J.H. Mackey and F.M. Mackey to Jim Cooper, dated 4/5/1902 and recorded in Deed Book 95, Page 329. Term is 10 years and so much longer as oil and gas is produced in paying quantities.
  4. Oil and Gas Lease from J.H. Mackey and F.M. Mackey to Wheeling Natural Gas Company, dated 3/26/1913 and recorded in Deed Book 139, Page 64. Term is 7 years and so much longer as oil and gas is produced in paying quantities.
  5. Oil and Gas Lease from J.H. Mackey and F.M. Mackey to Manufacturers Light and Heat Company, dated 1/28/1920 and recorded in Deed Book 160, Page 575. Term is 3 years and so much longer as oil and gas is produced in paying quantities.
  6. Oil and Gas Lease from J.H. Mackey and F.M. Mackey to Manufacturers Light and Heat Company, dated 11/16/1922 and recorded in Deed Book 176, Page 279. Term is 2 years and so much longer as oil and gas is produced in paying quantities.
  7. Oil and Gas Lease from J.H. Mackey and Florence Mackey to Manufacturers Light and Heat Company, dated 1/22/1925 and recorded in Deed Book 177, Page 556. Term is 2 years and so much longer as oil and gas is produced in paying quantities.
  8. Oil and Gas Lease from J.H. Mackey and Florence Mackey to Manufacturers Light and Heat Company, dated 3/2/1927 and recorded in Deed Book 187, Page 75. Term is 1 years and so much longer as oil and gas is produced in paying quantities.
  9. Oil and Gas Lease from J.H. Mackey and Florence Mackey to Manufacturers Light and Heat Company, dated 11/23/1927 and recorded in Deed Book 187, Page 322. Term is 1 years and so much longer as oil and gas is produced in paying quantities.
  10. Oil and Gas Lease from J.H. Mackey and Florence Mackey to Manufacturers Light and Heat Company, dated 12/22/1928 and recorded in Deed Book 196, Page 71. Term is 1 years and so much longer as oil and gas is produced in paying quantities.
  11. Oil and Gas Lease from J.H. Mackey and Florence Mackey to Manufacturers Light and Heat Company, dated 1/5/1930 and recorded in Deed Book 196, Page 439. Term is 1 years and so much longer as oil and gas is produced in paying quantities.
  12. Oil and Gas Lease from J.H. Mackey and Florence Mackey to Manufacturers Light and Heat Company, dated 1/16/1931 and recorded in Deed Book 197, Page 291. Term is 1 years and so much longer as oil and gas is produced in paying quantities.
  13. Oil and Gas Lease from Florence Mackey to Manufacturers Light and Heat Company, dated 1/16/1932 and recorded in Deed Book 197, Page 531. Term is 2 years and so much longer as oil and gas is produced in paying quantities.
  14. Oil and Gas Lease from Florence Mackey, Anna Mackey, Julia Mackey, B.F. Mackey & Gertrude, Hazel McCracken & G.D., W.K. Mackey & Edith, Melvin L. Mackey & Theora, Lureta Rupp & W.W., and Clarence Mackey to Manufacturers Light and Heat Company, dated 3/12/1934 and recorded in Deed Book 198, Page 521. Term is 3 years and so much longer as oil and gas is produced in paying quantities.
  15. Oil and Gas Lease from Julia Mackey, Anna Mackey, Lureta Rupp & W.W., Melvin L. Mackey & Theora, B.F. Mackey & Gertrude, Hazel McCracken & G.D., Hilda Mackey, and W.K. Mackey to Manufacturers Light and Heat Company, dated 4/2/1952 and recorded in Deed Book 272, Page 243. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

16. Oil and Gas Lease from Julia Mackey, Lureta Rupp & W.W. Melvin L. Mackey & Theora, Hazel McCracken & G.D., Gertrude Mackey, W.K. Mackey & Hilda to Manufacturers Light and Heat Company, dated 3/29/1962 and recorded in Deed Book 353, Page 350. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

Affiant further states that Affiant has received no delay rentals or royalties under said Lease(s) and that Affiant would refuse to accept payment of delay rentals or royalties under said Lease(s) if they were offered.

3. That the Affiant further states that there are no producing wells on the land in the Lease(s) as above referenced to and that said Lease(s) are null and void.

Further affiant saith not.

DATED December 1, 2010.

WITNESS:

Witness

Witness

Jan Pest  
MARSHALL County 10:24:46 AM  
Instrument No 1297245  
Date Recorded 12/21/2010  
Document Type O&G  
Pages Recorded 2  
Book-Page 718-264  
Recording Fee \$5.00  
Additional \$6.00

AFFIANT:

Shirley Robinson  
Shirley Robinson

#### INDIVIDUAL ACKNOWLEDGMENT

STATE OF West Virginia )

) SS:

COUNTY OF Wood)

On this, the 1st day of December 2010, before me, the undersigned officer, personally appeared Shirley Robinson, known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: April 14, 2018

Notary Public: Gerald Ernest Poole

Name/Notary Public (print) Gerald Ernest Poole

Recorder: Return to Cheasapeake Appalachia, L.L.C., Land Dept., P.O. Box 18496, Oklahoma City, OK 73154-0496.

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 1st day of December, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 21st day of December, 2010 at 10:24 o'clock A.M.

TESTE:

Jan Pest

Clerk.